

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

<p>IN RE:</p> <p>THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO, as representative of THE COMMONWEALTH OF PUERTO RICO, et al.,¹ THE EMPLOYEES' RETIREMENT SYSTEM OF THE GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO AND THE PUERTO RICO PUBLIC BUILDINGS AUTHORITY</p> <p style="text-align: center;">Debtors</p>	<p>PROMESA TITLE III</p> <p>Case No. 17-BK-3283 (LTS)</p>
--	---

MARUZ REAL ESTATE CORP.'S MOTION FOR JOINDER TO FINCA MATILDE, INC.'S OMNIBUS OBJECTION TO CORRECTED RESPONSE TO ORDER TO SHOW CAUSE; MODIFIED EIGHT AMENDED TITLE III PLAN OF ADJUSTMENT; AND PROPOSED FINDINGS OF FACTS AND CONCLUSIONS OF LAW IN CONNECTION WITH CONFIRMATION OF PLAN OF ADJUSTMENT

TO THE HONORABLE COURT:

COMES NOW, MARUZ REAL ESTATE CORP., ("Maruz"), through the Undersigned counsel to hereby submit this Joinder (this "Joinder") to (i) the *Corrected Response of the Financial Oversight and Management Board in accordance with Order Regarding Certain Aspects of Motion for Confirmation of*

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566- LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

=====

Modified Eight Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al. (the “Response”) filed and proposed by the Financial Oversight and Management Board for Puerto Rico (“Oversight Board”) at Docket No. 19574; (ii) to the *[Proposed] Findings of Facts and Conclusions of Law in Connection with Confirmation of the Modified Eight Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.*, (the “Revised Proposed FFCL”) at Docket No. 19570; (iii) *Notice of Filing of Revised Proposed Order and Judgment Confirming Modified Eight Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.* (the “Revised Proposed Order”) at Docket No. 19571; (iv) and the *Notice of Filing of Modified Eight Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.* (the “Revised Plan”) at Docket No. 19572 (the “Newly Proposed Plan Materials” when referring to the latter three documents together), for the reasons stated in the Objection filed by Finca Matilde Inc., at docket entry 19608.

1. Maruz joins in the relief sought in the Objection to (i) the *Corrected Response of the Financial Oversight and Management Board in accordance with Order Regarding Certain Aspects of Motion for Confirmation of Modified Eight Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.* (the “Response”) filed and proposed by the Financial Oversight and Management Board for Puerto Rico (“Oversight Board”) at Docket No. 19574; (ii) to the *[Proposed] Findings of Facts and Conclusions of Law in Connection with Confirmation of the Modified Eight Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.*, (the “Revised Proposed FFCL”) at Docket No. 19570;

=====

(iii) *Notice of Filing of Revised Proposed Order and Judgment Confirming Modified Eight Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.* (the “Revised Proposed Order”) at Docket No. 19571; (iv) and the *Notice of Filing of Modified Eight Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.* (the “Revised Plan”) at Docket No. 19572 (the “Newly Proposed Plan Materials” when referring to the latter three documents together).

2. Maruz is a creditor in the Commonwealth Title III case and filed a proof of claim that stems from eminent domain and inverse condemnation proceedings by the Commonwealth’s taking of Maruz’s property without just compensation as mandated by the Constitution of the United States and the Constitution of the Commonwealth of Puerto Rico.

3. Maruz joins the legal grounds and arguments discussed in the Objection by Finca Matilde Inc. filed at docket number 19608. The Response, and the Newly Proposed Plan Materials, fail to correctly classify the eminent domain and inverse condemnation creditors; fail to recognize these claims as nondischargeable, and forsakes the requirements under the Fifth Amendment of the Constitution of the United States.

4. Maruz reserves its right to raise additional arguments in support of the Objection filed by Finca Matilde.

WHEREFORE, Maruz Real Estate Corp. respectfully requests that the Court GRANT this Joinder and deny approval of the Revised Proposed FFCL and Revised Proposed Order, that it denies confirmation of the Revised Plan, and that the Oversight Board's Response be denied for the reasons stated in Finca Matilde Inc.'s Motion.

CERTIFICATE OF SERVICE

I hereby certify that, on this date I caused the preceding document to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants in this case.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 23rd day of December 2021.

COUNSEL FOR MARUZ REAL ESTATE CORP.

s/ Alexis Fuentes-Hernández, Esq.
Alexis Fuentes-Hernández, Esq.
USDC-PR 217201

FUENTES LAW OFFICES, LLC
P.O. Box 9022726
San Juan, PR 00902-2726
Tel. (787) 722-5215, 5216
Fax. (787) 483-6048
E-Mail: fuenteslaw@icloud.com